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**CORRESPONDENCE RELATED TO  
U.S. PATENT APPLICATION NO. 10/721,144**

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PTO/SB/87 (09-04)

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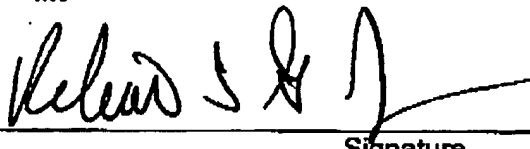
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By: Robert J. HARIRI

Confirmation No.: 6313

APR 10 2006

Serial No.: 10/721,144

Art Unit: 1636

Filed: 25 November 2003

Examiner: McGillem, Laura

For: CYTOTHERAPEUTICS,  
CYTOTHERAPEUTIC UNITS, AND  
METHODS FOR TREATMENTS USING  
THEM

Attorney Docket No.: ANTH-0004

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. § 1.56, there is hereby provided certain information that the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

## 1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

☒ Each U.S. patent application publication and foreign patent, except those U.S. patent application publications not required to be submitted;☒ Each publication or that portion which caused it to be listed on the PTO-1449;☒ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;☒ all other information or portion which caused it to be listed on the PTO-1449.1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(b):☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);

- ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- ☐ Before the mailing of the first Office action on the merits;
- ☒ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
- (Check either Item 3a or 3b)*
- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
- ☐ to be charged to Celgene Corporation Deposit Account No. 031181.
- (Item 3b to be checked if any reference known for more than 3 months)*
4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The Certification Statement in Item 5 below is applicable.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Celgene Corporation Deposit Account No. 031181.
5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)
- (Check either Item 5a or 5b)*
- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

6. ☐ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

*(Check appropriate Items 6a, 6b and/or 6c)*

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. , filed on , of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

*( Check Item 8a, 8b, or 8c)*

- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Celgene Corporation Deposit Account No. 031181.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability. No admission is made that a search has been undertaken (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§ 1.97 (g) and (h).

Respectfully submitted,



Date: 10 April 2006

Richard T. Girards, Jr.  
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52,946  
(Reg. No.)

PTO/SB/08A (07-05)

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/721,144
		Filing Date	25 November 2003
		First Named Inventor	HARIRI
		Art Unit	1636
		Examiner Name	McGillen, Laura
		Attorney Docket Number	ANTH-0004
Sheet	1	of	3

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 2006/0060494	03/23/2006	GOODMAN	
		US- 2005/0276792	12/15/2005	KAMINSKI	
		US- 2005/0272148	12/08/2005	HARIRI	
		US- 2005/0176139	08/11/2005	HARIRI	
		US- 2005/0148034	07/07/2005	HARIRI	
		US- 2005/0118715	06/02/2005	HARIRI	
		US- 2005/0019908	01/27/2005	HARIRI	
		US- 2004/0129136	11/04/2004	HARIRI	
		US- 2004/0161419	08/19/2004	STROM	
		US- 2004/0048796	03/11/2004	HARIRI	
		US- 2004/0048372	03/11/2004	HARIRI	
		US- 2004/0028660	02/12/2004	HARIRI	
		US- 2003/0235909	12/25/2003	HARIRI	
		US- 2003/0187616	10/02/2003	HARIRI	
		US- 2003/0180269	09/25/2003	HARIRI	
		US- 2003/0032179	02/13/2003	HARIRI	
		US- 2002/0160510	10/31/2002	HARIRI	
		US- 2002/0123141	09/05/2002	HARIRI	
		US- 2005/0058630	03/17/2005	HARRIS	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear

Examiner Signature	Date Considered
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Application Number	10/721,144
Filing Date	25 November 2003
First Named Inventor	HARIRI
Art Unit	1636
Examiner Name	McGillen, Laura
Attorney Docket Number	ANTH-0004

Sheet 2 of 3**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2005/0058629	03/17/2005	HARMON	
		US- 2005/0054098	03/10/2005	MISTRY	
		US- 2005/0037491	02/17/2005	MISTRY	
		US- 2005/0032209	02/10/2005	MESSINA	
		US- 2005/0019865	01/27/2005	KIHM	
		US- 2005/0124003	06/09/2005	ATALA	
		US- 2005/0186182	08/25/2005	DEISHER	
		US- 2003/0152558	08/14/2003	LUFT	
		US- 2004/0180040	09/16/2004	PHILLIPS	
		US- 2004/0018617	01/29/2004	HWANG	
		US- 2005/0054093	03/10/2005	HAAS	
		US- 2005/0042595	02/24/2005	HAAS	
		US- 2004/0136967	07/15/2004	WEISS	
		US- 6,630,349	10/07/2003	ROSSANT	
		US- 2005/0176139	08/11/2005	CHEN	
		US- 2003/0059414	03/27/2003	HO	
		US- 2004/0058412	03/25/2004	HO	
		US- 2005/0089513	04/28/2005	SAKURAGAWA	
		US- 2003/0044977	03/06/2003	SAKURAGAWA	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
		Country Code* Number* Kind Code* (if known)				

Examiner  
SignatureDate  
Considered

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Sheet	3	of	3
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**Complete if Known**

Application Number	10/721,144
Filing Date	25 November 2003
First Named Inventor	HARIRI
Art Unit	1636
Examiner Name	McGillern, Laura
Attorney Docket Number	ANTH-0004

[illegible][illegible]

Examiner Signature		Date Considered	
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